



July 20, 2016

Town of Lancaster

TOWN PLANNING BOARD

21 Central Avenue
LANCASTER, NEW YORK 14086

Planning Board Members:

Neil Connelly, Chairman
Rebecca Anderson
Anthony Gorski
Joseph Keefe
Lawrence Korzeniewski
Kristin McCracken
Melvin Szymanski

Town Board Members:

Johanna Metz-Coleman, Supervisor
John M. Abraham, Jr.
Dawn Gaczewski
Ronald Ruffino, Sr.
Matthew Walter

Engineering Consultant:

Robert Harris, Wm. Schutt & Associates

Town Attorney:

Kevin E. Loftus

Town Highway Superintendent:

Daniel J. Amatura

Building & Zoning Inspector:

Matthew Fischione

Gentlemen/Ladies:

Enclosed is a draft copy of the minutes of a meeting of the Planning Board of Lancaster which was held July 20, 2016. Please review it for errors and completeness. These minutes will not become final until approved at a subsequent Planning Board meeting, and may be amended before approval.

Sincerely yours,

Neil R. Connelly
Planning Board Chairman

NRC:cm

Encl.

A meeting of the Planning Board of the Town of Lancaster, Erie County, New York was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, on the 20th day of July 2016 at 7:00 P.M. and there were present:

PRESENT: Neil Connelly, Chairman
Rebecca Anderson, Member
Anthony Gorski, Member
Joseph Keefe, Member
Lawrence Korzeniewski, Member
Kristin McCracken, Member
Melvin Szymanski, Member

EXCUSED: John M. Abraham, Jr.

ABSENT: None

ALSO PRESENT:

Town Board Members: Dawn Gaczewski

Other Elected Officials: None

Town Staff: Robert Harris, Engineering Consultant-Wm. Schutt & Assoc.
Kevin E. Loftus, Town Attorney
Matthew Fischione, Code Enforcement Officer
Cynthia Maciejewski, Recording Secretary

Meeting called to order by Chair Connelly at 7:00 P.M.

Pledge of Allegiance led by Cynthia Maciejewski.

Minutes - A motion was made by Rebecca Anderson to approve the minutes from the July 6, 2016 Planning Board Meeting. Motion seconded by Lawrence Korzeniewski and unanimously carried.

Town of Lancaster Planning Board
Communications List
July 20, 2016

- 7.20.01 SEQR response dated 6/27/16 from ECDPW regarding Sealing Devices.
- 7.20.02 SEQR response dated 6/30/16 from NYSDEC regarding Autowave.
- 7.20.03 SEQR response dated 6/30/16 from ECPDW regarding Autowave.
- 7.20.04 SEQR response dated 7/01/16 from Division of Sewerage Management regarding Russell's Steaks, Chops and More.
- 7.20.05 SEQR response dated 7/07/16 from ECDPW regarding Russell's.
- 7.20.06 Letter from Chris and Wendy Elleman of 475 Schwartz Rd., dated 7/10/16, indicating opposition to having a street a few feet from property line and houses behind them.
- 7.20.07 Letter from Karen A. Mohn, 471 Schwartz Rd., dated 7/11/16, indicating opposition to having a street a few feet from property line and houses behind them.
- 7.20.08 Legal notice of public hearing for Special Use Permit (Dog Grooming) to be held 7/18/16.
- 7.20.09 Copy of resolution adopted by Town Board on 7/05/16 approving site plan for O'Connell Electric, Lancaster Parkway.
- 7.20.10 Copy of resolution adopted by Town Board on 7/05/16 approving site plan for 48 Freeman Rd., hotel development.
- 7.20.11 Copy of resolution adopted by Town Board on 7/05/16 granting rezone of 00 Broadway from GB and AR to MFR-4, with three conditions.
- 7.20.12 Letter from John C. Garas, representing PM Peppermint, Inc. withdrawing all site plan applications for client's Peppermint Rd. property.

- 7.20.13 Letter dated 7/11/16 from Matt Fischione, Code Enforcement Officer, noting complaint and history of complaints regarding dust generated from soil removal at the Windsor Ridge Partners vacant property off Bowen Rd.
- 7.20.14 SEQR response dated 6/02/16 from EC Division of Sewerage Management, regarding Autowave.
- 7.20.15 SEQR response dated 7/08/16 from EC Department of Environment and Planning regarding Autowave.
- 7.20.16 SEQR response dated 7/13/16 from EC Department of Environment and Planning regarding Sealing Devices.
- 7.20.17 SEQR response dated 7/08/16 from EC Department of Environment and Planning regarding Russell's.
- 7.20.18 Letter from Robert Harris, Town Engineer, dated 7/13/16, with comments regarding the Sports Arena at the Angry Buffalo, Wehrle Dr.
- 7.20.19 ZBA minutes of 7/14/16 meeting.
- 7.20.20 MRC minutes of 7/18/16 meeting.
- 7.20.21 Solar energy pamphlet forwarded to Planning Board from Matt Fischione.

ACTION ITEMS

SITE PLAN REVIEW-Project #1519 ANGRY BUFFALO-ROSE GARDEN LOCATED AT 2753 WEHRLE DRIVE, CONSTRUCTION OF A 26,400 SQ FT. BUILDING TO BE USED FOR FLAG FOOTBALL GAMES.

Mike Metzger of Metzger Civil Engineering along with his client Joe David presented the site plan for the new building. The entire combined parcel is 8.5 acres and less than one acre is affected by the project. This property has a long history of outdoor use which includes car shows and sporting events. These events bring people into the restaurant. There are currently 6 fields being used. Once the building is constructed there will be 5 remaining fields.

Zoning-The property is currently zoned R-1 Nonconforming use. Due to the fact that the three parcels are being combined and the new building is not on the nonconforming lot, the newly created parcel will need to be rezoned to GB-General Business.

Storm water- The 120'x220' building will have a minimal impact on drainage. Two storm water injection wells will be constructed, tested and modified at the beginning of the project to prevent drainage issues. Bedrock is close to the surface and has always provided wonderful surface drainage. "As Built" drawings will include information of injection wells.

Parking lot- The restaurant currently has ample parking. The parking lot is stoned and not paved. No new entrances or exits will be added.

Lighting- Lighting is not included on the site plan. A wall pack light will be added over the main door for safety.

DETERMINATION

Based on the information presented to the Planning Board, a motion was made by Melvin Szymanski to table the site plan with the following conditions:

1. Lighting plan to be submitted and approved
2. A new survey that is stamped and signed must be submitted
3. Injection wells must be tested and verified
4. Property must be rezoned to GB-General Business

Motion seconded by Rebecca Anderson and unanimously carried. Roll call vote as follows:

Chairman Connelly-Yes	Lawrence Korzeniewski-Yes
Rebecca Anderson-Yes	Kristin McCracken-Yes
Anthony Gorski-Yes	Melvin Szymanski-Yes
Joseph Keefe-Yes	

CONCEPT PLAN REVIEW-TIM HORTONS CAFÉ & BAKE SHOP, 6050 BROADWAY. THIS SUBMITTAL REPLACES THE SUBMITTAL FOR 6173 BROADWAY.

Douglas Hutter of Zaxis Architectural P.C., Robert Bender of Tim Horton's and Regina James, Franchisee presented the project. The property is currently zoned RCO and would need a rezone to NB-Neighborhood Business. The surrounding area is residential which included a subdivision and an apartment complex. There is a machine shop two parcels over on Pavement Road. Input from neighbors is recommended.

Parking lot-The building is located to the north of the property to provide proper stacking of vehicles. 34 parking spaces are provided and 12 spots for stacking so that no vehicles will be waiting on Broadway. The DOT will need to approve curbs cuts for the project.

Lighting- Lighting will be provided and light standards will be a maximum of 15' high.

Landscaping-A landscape plan will need to be developed. Buffering to the north of the property for the neighboring homeowner will be necessary and/or possibly moving the building away from residence to the north. The dumpster area will be enclosed and shielded from view.

Wetlands-Spots of wetlands need clarification from DEC.

No Action Taken.

SITE PLAN REVIEW-PROJECT #6018 UP STATE TOWER CO. LLC LOCATED ON TOWN OWNED PROPERTY ON SOUTH PENORA STREET.

Corey Auerbach of Barclay Damon LLP along with Don Carpenter, Agent presented a site plan for a 160' self-support tower and associated telecommunications equipment in proposed 60'x60' fenced compound. Two other towers are currently on the same property but are not compatible with the needs of the proposed tower. The reason for the new tower is to improve the quality of service for Blue Wireless.

Specifics-No extension of the gravel road will be made. No lighting will be on the tower.

Contract-The contract with the Town for the cell tower to be located on Town property is being negotiated and once the site plan is approved by the Planning Board a Special Use Permit can be issued for the tower to be located on Town property. As the owner of the tower makes money from possible collocates on the tower so would the Town earn revenue from the collocates.

Easement- The easement is 20' and begins at the northern property line going south 20'.

Fall zone-The Special Use Permit setback is the height of the tower for a fall zone, however since the tower is designed to fall within the fenced area this requirement can be waived by the Town Board.

DETERMINATION

Based on the information presented to the Planning Board, a motion was made by Rebecca Anderson to recommend approval of the site plan to the Town Board with the following condition:

1. Plans must comply with the comments of Robert Harris, Engineering Consultant

Motion seconded by Anthony Gorski and carried 6-1. Roll call vote as follows:

Chairman Connelly-Yes	Lawrence Korzeniewski-Yes
Rebecca Anderson-Yes	Kristin McCracken-Yes
Anthony Gorski-Yes	Melvin Szymanski-Yes
Joseph Keefe-No	

SITE PLAN REVIEW-PROJECT #6023 UP STATE TOWER CO. LLC LOCATED ON TOWN OWNED PROPERTY ON MOHAWK PLACE.

Corey Auerbach of Barclay Damon LLP along with Don Carpenter, Agent presented a site plan for a 160' self-support tower and associated telecommunications equipment in proposed 50'x50' fenced compound. The reason for the tower is to improve the quality of service for Blue Wireless and Verizon Wireless.

Specifics-The location of this tower is north of Walden Avenue between Seneca Place and Traceway. This location is heavily residential and some neighbors have encroached on the Town land for use. It is unclear the exact measurement to the nearest residential property but is closest to a commercial

building. There will be a gravel roadway of crushed stone to the equipment. No lighting will be on the tower and no buffering is proposed.

Fall zone-The Special Use Permit setback is the height of the tower for a fall zone, however since the tower is designed to fall within the fenced area this requirement can be waived by the Town Board.

DETERMINATION

Based on the information presented to the Planning Board, a motion was made by Lawrence Korzeniewski to recommend approval of the site plan to the Town Board. Motion seconded by Melvin Szymanski. Motion carried 4-3. Roll call vote as follows:

Chairman Connelly-No	Lawrence Korzeniewski-Yes
Rebecca Anderson-Yes	Kristin McCracken-Yes
Anthony Gorski-No	Melvin Szymanski-Yes
Joseph Keefe-No	

DISCUSSION ITEMS

Discuss the Flag lot model ordinance at the next meeting.

At 8:31p.m. a motion was made by Lawrence Korzeniewski to adjourn the meeting. Motion seconded by Kristin McCracken and unanimously carried.



Town of Lancaster

TOWN PLANNING BOARD

21 Central Avenue
LANCASTER, NEW YORK 14086

MEMO

TO: Honorable Town Board
Town of Lancaster

FROM: The Town of Lancaster Planning Board

DATE: July 20, 2016

RE: Up State Tower Co. LLC

PROJECT#: 6018

LOCATION: Town property on South Penora Street

TYPE: Site Plan Review

RECOMMENDATION: Approval

Roll call vote:

Chair Connelly-Yes
Rebecca Anderson-Yes
Anthony Gorski-Yes
Joseph Keefe-No

Lawrence Korzeniewski-Yes
Kristin McCracken-Yes
Melvin Szymanski-Yes

CONDITIONS: Plans must comply with the comments of Robert Harris, Engineering Consultant

COMMENTS: None



Town of Lancaster

TOWN PLANNING BOARD

21 Central Avenue
LANCASTER, NEW YORK 14086

MEMO

TO: Honorable Town Board
Town of Lancaster

FROM: The Town of Lancaster Planning Board

DATE: July 20, 2016

RE: Up State Tower Co. LLC

PROJECT#: 6023

LOCATION: Town property on Mohawk Place

TYPE: Site Plan Review

RECOMMENDATION: Approval

Roll call vote:

Chair Connelly-No
Rebecca Anderson-Yes
Anthony Gorski-No
Joseph Keefe-No

Lawrence Korzeniewski-Yes
Kristin McCracken-Yes
Melvin Szymanski-Yes

CONDITIONS: None

COMMENTS: None